IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8758 OF 2007

Kantaprasad J. Singh .. Petitioner

Versus

The Commissioner of Police

and Anr. .. Respondents

Mr.S.P.Kanuga i/b. Sapna Nath for petitioner

Mr.R.M.Patne, A.G.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 4th December 2007

P.C.

. The order passed by the Commissioner of Police, Greater Mumbai on 7th September 2007 suspends licence of petitioner establishment for

thirty days. However, Mr.Kanuga points out that by a communication dated 15th November 2007, petitioner was called upon to intimate as to when he would inform the police station about closure of the establishment. He submits that this intimation of the petitioner is yet to be despatched. In the meanwhile, the stay application was rejected on 27th October 2007.

2. The appeal is still pending but no date is fixed for its hearing. The matter was adjourned till today to enable Mr.Patne to take instructions.

3. Accordingly on instructions of Dy.Secretary, Home Department, Mantralaya Mr.Patne makes a statement that the appeal would be decided within a period of four weeks from today. In the light of this statement nothing survives in the petition. Despite the stay application having been rejected, the grievance

made is that the said order is passed without hearing the petitioner. It is further clarified that the petitioner would be at liberty to apply for interim orders during the pendency of the appeal and that application, if filed, shall be considered on its own merits and in accordance with law, uninfluenced by the orders passed earlier. Petition disposed of. No costs.

(S.C.Dharmadhikari, J)